

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE  
LITIGATION

MDL No. 1456

C.A. No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO  
01-CV-12257-PBS and 01-CV-339

**ASSENTED-TO MOTION OF DEFENDANT  
AMGEN INC. FOR LEAVE TO FILE REPLY BRIEF**

Pursuant to Local Rule 7.1(B)(3), Defendant Amgen Inc. ("Amgen") hereby requests leave to file a reply to Plaintiffs' Opposition to Amgen's pending Motion for Reconsideration of the Court's order denying Amgen's defendant-specific motion to dismiss the Amended Master Consolidated Complaint. In support of this motion, Amgen states as follows:

1. On March 5, 2004, Amgen filed a Motion for Reconsideration. (Amgen filed a corrected version of this Motion on March 8, 2004.) The Plaintiffs filed a memorandum in opposition to this motion on March 17, 2004.
2. Amgen now seeks leave to file a Reply Brief in support of its Motion for Reconsideration. Plaintiffs' opposition sets forth issues and arguments that were not addressed in Amgen's moving papers. Amgen's reply memorandum is intended to help narrow the issues and better inform the Court of the parties' respective positions.

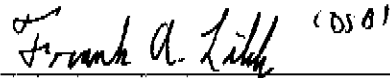
3. Plaintiffs have assented to this motion.

WHEREFORE, Defendant Amgen Inc. respectfully moves that this Honorable Court grant it leave to file a reply brief to Plaintiffs' Opposition to Amgen's Motion for Reconsideration.

Respectfully submitted,

DEFENDANT AMGEN, INC.,

By its attorneys,



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March 26, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 26<sup>th</sup> day of March, 2004, caused a true and accurate copy of the foregoing document to be served upon all counsel of record by first-class mail, postage prepaid.

